

COMPLAINT
(for filers who are prisoners without lawyers)

MAY 18 2022

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

Floyd L. Semon

v.

(Full name of defendant(s))

J. Taulbut

R. Frye

Kayla maintenance staff

Case Number:

22-C-0594

(to be supplied by Clerk of Court)

A. PARTIES

1. Plaintiff is a citizen of Wisconsin, and is located at
(State)

Green Bay Corr inst P.O. Box 19033
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant Taulbut, Frye, Kayla
(Name)

is (if a person or private corporation) a citizen of Wisconsin

and (if a person) resides at Dodge Correction institution
(State, if known)
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for The Department of Correction at Dodge
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

The Three defendant listed all

Employee and supervisor at Dodge

Correctional institution P.O. Box 700

Waupun, WI 53963-0700 an violated

my Eighth Amendment Constitution rights

Deliberate indifference claim,

Condition of confinement claim,

Liability supervisor claim

The provided paper wasn't enough

to file my claim so I attached paper.

To respectfully file my claim as follows;

Attached Statement of Claim B

Page 1 1 of 3

Defendant

C.O J. Taulbut Dodge Corr Inst. March 28, 2022.

Correctional Office J. Taulbut violated Plaintiff
Eighth Amendment Constitution Claims

Condition of Confinement Claim Narrowing Exhibits

Classification staff J. Manix referring Security as J. Taulbut
Had control over His Unit 10 To Move a inmate From a cell

Follow by Exhibit 005 Sworn Affidavit by inmate ~~21400~~

A. Lucas indicated Defendant J. Taulbut ~~REMOVED~~

Phone Book Place a report and order A. Lucas to Move out
of Cell 8 on March, 27, 2022 ~~as day before yesterday~~

For Conditions of this wall ~~had~~ Plaster Falling on to the
^{Damage} sleeping area of the Top Bunk were A. Lucas were House at.

The Next day Defendant J. Taulbut House Plaintiff
in that same cell 8 Top Bunk in when Plaintiff ask to be

Moved after witnessing the damage in Dirty cell. Defendant
responded with So Cleaning Supplies on March, 28, 2022
in indicated is already a work order Place to Fix wall.

Two days later Plaintiff was injury by the Plaster Placing
falling off the wall into Plaintiff face interacted with His
Left Eye which Defendant J. Taulbut can a medical

Emergency in Let Plaintiff ~~shower~~ use the shower to

Try to get the Plaster in dust out Plaintiff Left Eye
which Helped. Plaintiff received medical treatment in Wasnt
charge a ~~for~~ medical Co-Pay \$7.50 Following the DAI Polc,
Defendant J. Taulbut informed Medical Service it wasnt
Plaintiff fault Plaintiff was the唐 on the walls,

2 page

as he indicate Maintenance Place Paint over wet Plaster as didn't let it dry which cause the damage to the Cell 8 walls. Medical Doctor order Plaintiff Eye Drops. TO Help Clean the Eye out From Dust interaction Plaintiff ask to be move again after returning to unit 10 Defendant J. Tautbut ~~Just told~~ Plaintiff maintenance shall come Fix the wall soon I Just Call them again today, March 30, 2022 This action by Defendant J. Tautbut violate a Condition of Confinement Claim Attached Exhibit O24 Defendant "Train" TO Know of U.S. Const. & G.H. By and Through Henry v. Marsteller, 424, F. Supp. 3d. 1109 (N.D. Fla. 2019) ~~that~~ TO Support an Eighth amendment Challenge to Condition of Confinement The ~~conditions~~ of Prisoner must Show that a Condition of Confinement poses an unreasonabale risk of ~~serious~~ damage Admitted By Secretary decision Exhibit O20 Affirmed inmate Complaint Plaster Flaking From the Walls is a ~~serious~~ danger to Plaintiff Future Health or Safety, This Action in response By Defendant J. Tautbut Knowledgely violate Case Henry v. Marsteller, Follow by violated the Eighth Amendment Deliberate indifference Claim element (1) Knowledge of the risk of Harm Defendant J. Tautbut Just move another inmate March 27, 2022 Exhibit O05 Also indicate the awareness of the damage to the walls in Cell 8 in Place Plaintiff and cell 8 and (2) element disregarded to move Plaintiff From the risk responded with Cleaning supplies informed Plaintiff

3 of 3

3 page

Maintenance will be there to fix the walls soon.
Witness by J. Lawe Plaintiff Cellmate Exhibit 001
Sworn Affidavit. ~~As~~ There fore Plaintiff wanna
Proceed with Two Claim against Defendant J. Taulbut
under the Eighth amendment Condition of Confinement
Claim with Deliberate indifference claim Plaintiff
was injury twice in the same cell 18 once at 9:15 AM in
Once at 11:30 PM March, 30, 2022 were RN T. Schulke
Found Plaster inside Plaintiff Left Eye ball in remove it
in wash flushed Plaintiff Eye out on march, 31, 2022
Plaintiff were seen By a Eye Doctor D. Schneider who
Spoke with RN T. Schulke who informed Her She remove
Plaster Fluke From Plaintiff Eye and medical optical
~~Diagnosis~~ ~~Plaintiff~~ indicated in Exhibit 010 Eye
Doctor D. Schneider Note. along with Diagnosis Plaintiff
with Corneal abrasion Left eye ~~and~~ Exhibit 011 and
Diagnosis Macula scar of Posterior pole of Left eye cause
By Plaster interaction with Eye Document Exhibit 012
along with medical Treatment Tobramycin Ophthalmic
drops. For "Eye infection" For 5 days treatment was provided
March, 31, 2022 in was ~~date~~ discharge April 1, 2022
Exhibit 013 along with NP Jodi medical provider order
Tylenol For 14 day Diagnosis Plaintiff Irritation of Left eye
March, 31, 2022 as well Exhibit 014 ~~no~~ medical ^{document} ~~claim~~
Support Plaintiff suffer injuries to Defendant J. Taulbut
Actions that could be taken by J. Taulbut

Attached statement of claim B

Page 1 of 2

Defendant Kayla is a Maintenance Coordinator staff member who received a work order April 1, 2022 By Maintenance Supervisor R. Frye who inspected Plaintiff cell 8 on unit 10 April 1, 2022. Defendant Kayla's job is to Fix the cell By Construction work Kayla didn't come Fix the cell until April 13, 2022 which she informed the Sgt. Karpinsky who replaced C.O. Taubut that date. For unit 10 to move Both inmate out cell 8 April 13, 2022 so she Could Fix the cell walls in window due to the cold Breeze Causing a low temperate Cause the window wasn't stopping any Air. witness by inmate D. Allen-Hobbs Exhibit 004

Defendant Kayla informed him the last maintenance staff Place Paint over wet Plaster in cell 8 were Plaintiff was House to live at. informed him he was going to get & break his neck. He also witness the cell damage to the walls in Kayla construction Job started 4-13-2022 in finish Appropriate 4-14-2022 due to she let the Plaster dry. Before placing Paint the next day. Sworn Affidavit.

Defendant Kayla violate Plaintiff Eighth Amendment Deliberate indifference Claim when she receive a enlightened to Fix cell 8 April 1, 2022 But didn't Fix it until April 13, 2022 Leaving Plaintiff in a danger environment for 12 days with knowledge of inspection 4-1-22 also proceeded. In condition of confined. in didn't respond until 12 days later. See rear side Page 2

2 of 2 Page 2

Kayla Maintenance staff have a duty to keep the institution construction work in a safe condition also responsible for receiving weekly inspection DOC work sheets Exhibit 026 indicate it shall be a work sheet send to the Coordinator weekly By each staff house unit which Defendant J. Taulbut fail to enter weekly for months which violate the DAI Policy 900.103.05 Attached To Exhibit 026. Nor did Maintenance staff report they wasn't receiving these inspection until Plaintiff wrote the ~~to~~ Depute Warden Defendant J. Taulbut Blame maintenance staff Kayla. Maintenance staff Kayla Blame Security unit ~~at~~ Correction offices. This misconduct could have help stop issue like this one. Both staff fail to report nor ~~do~~ due they job. Plaintiff wanna proceed with one claim against this Defendant under the Eighth amendment Deliberate indifference Plaintiff was falling on ~~the~~ Plaintiff feet after he was told by Lt. Umen turn to sleep another way after being injury twice in the same cell. Also the cold Breeze inside the cell due to the window wasn't fix, Exhibit 018 Violated DOC Wisconsin Adm Code 349.07 Exhibit 028 025 in violate DOC inmate right of condition of confinement Exhibit 023 that state the failure to provide adequate Sanitation, a dangerously low ~~heat~~ cell temperature violate A inmate Eighth amendment rights. Attached To Claim.

Attached Statement of Claim 8

Page 1 of 2

Defendant R. Frye is the "Maintenance Supervisor".
R. Frye is the Person who receive the workorders.
R. Frye is the Person who inspected cell 8 April 1, 2022
and refer the Job to Maintenance Staff Kayla. To
Fix the Construction work Need done on window and
walls in Cell 8. ~~Plaster~~

Plaintiff wanna Proceed with Liability supervisor claim
as Vicarious liability claim ~~against~~ against Defendant
~~R. Frye~~ R. Frye Control over employee Defendant Kayla
R. Frye impute to the employee Kayla certain
circumstances. Defendant R. Frye witness the
workorder Place By J. Taulbut in Feb, 2022 indicate
Loose debris ~~of~~ causing Plaster Flaking to fall into the
Living area of cell 8 Exhibit 020 and The window
deprivation a warm cell. Exhibit 019 Defendant
R. Frye responded 2ying indicated a workorder was
Place March, 31, 2022 in Fix April 1, 14, 2022. Future
~~was~~ investigate shall Exhibit 020 there was already a
workorder Place By Defendant J. Taulbut in Feb, 2022,
in repeatedly Also witness A. Lucas Exhibit 006 DOC 761
inmate request to maintenance of same issue in cell 8 when
He was house there. Maintenance responded March, 25, 2022
Showing awareness of issue. But disregarded. This ~~is~~
Action show Supervisor lack work to be done. Defendant
R. Frye ~~is also in charge of~~ ~~and does not do~~, See rear side

The danger April 1, 2022 when He inspected the cell also another work order By Defendant J. Taubut informing Maintenance Supervisor Plaintiff was injury Plaster Flaking From cell walls cause somebody as Him or His employee Place Paint on wet Plaster. On march 31, 2022 That was another incident report in work order to Defendant R. Frye.

R. Frye Had Control after witnessing the cell condition of confinement to order Security to move Plaintiff until the walls were Fix. And Acknowledges the cold Breeze From the Front cell door of cell 8. There For Plaintiff wanna Proceed with ~~the~~ Three claim against Defendant R. Frye Liability Supervisor claim over defendant Kayla Deliberate Indifference Claim For receiving a work order in Feb, 2022 in not inspected it until April 1, 2022 and not ordering a move after witnessing the condition of damage in danger 4-1-22 responded just by referring issue to His employee Kayla. And Condition of Confinement Claim due to low temperature of cold Cell, unreasonable risk to Plaintiff Health and safety Exhibit 023 indicate Failure to provide Adequate Sanitation, a dangerously low temperature due violate Plaintiff Eighth Amendment as Defendant Admitted Exhibit 019 as R. Frye Admitted Failure But indicated work order was done 4-14-22 which Suppose to make it okay for His Part of Obligation

See Attached this wasn't enough

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

- (1) order the Dodge Correctional staff to follow DAI Policy 900.103.05 Page 5 of 5 to weekly submitted inspection sheets on unit cells.
- (2) Compensatory and Punitive damages
Plaintiff Suffer Pain in receive medical treatment
For Left Eye Exhibits Supporting 5 days of Eye
infection in 7 days of Pain , still vision Blurry
For Life . Diagnosis support claim Plaintiff requirement
\$75,000 damage's (3) institution conditions
- (4) Legal fee's in Court fee's . For this action only,

E. JURY DEMAND

I want a jury to hear my case.

- YES - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 15th day of May 2022.

Respectfully Submitted,

May, 15, 2022 Clarify

Jeromey Hugel

Signature of Plaintiff

#581602

Plaintiff's Prisoner ID Number

Green Bay Corr Inst P.O. Box 19033

Green Bay, WI 54307-19033

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE



I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.



I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.